West Bengal Judicial Service (Mains) 2021

Criminal Procedure Code and Indian Penal Code · compulsory paper

Time: 3 hours · Full marks: 100

Group A: answer any five questions

1. (a) What is a cognizable offence?
(b) What is the procedure for investigation of a cognizable case? (3+7=10)

2. (a) What should be the contents of a charge?
(b) "For every distinct offence of which any person is accused there shall be a separate charge". State the exceptions to the general rule. (3+7=10)

3. (a) Under what circumstances a proclamation may be published against an offender? State the procedure for publication of such proclamation.
(b) Discuss the provisions for attachment of property of a proclaimed offender. (6+4=10)

4. (a) "No one should be put in peril twice for the same offence". Elucidate with reference to the provisions of the code.
(b) 'A, B and C are charged by a Magistrate of the first class with, and convicted by him of robbing D'. Can they be tried again on the same facts? Give reasons. (7+3=10)

5. Discuss the powers of the Appellate Court. When an appeal shall abate? (7+3=10)

6. Write short notes (any two): (a) Limitation for taking cognizance of offences; (b) Tender of pardon to accomplice; (c) Compounding of offences (5+5=10)

Group B: answer any five questions

7. (a) What is the law regarding joint offenders? Discuss.
(b) If two persons commit the same act, can they be guilty of different offences in respect of that act? Discuss. (5+5=10)

8. (a) State what is abetment?
(b) Under what circumstances an abettor may be punished for an offence different from that which was abetted? (5+5=10)

9. State fully the circumstances under which the offence of murder can be reduced to one of culpable homicide not amounting to murder. Give illustrations. (10)

10. What is defamation? What are the exceptions that may be set up against a charge of defamation? (3+7=10)

11. What constitutes "Extortion"? Give the aggravated forms of extortion with illustrations. (3+7=10)

12. What offence, if any, has been committed in the following cases? Give reasons.
(a) A, under the influence of passion excited by a provocation given by Z, intentionally kills Y, Z's child.
(b) 'A' signs his own name to a bill of exchange, intending that it may be believed that the bill was drawn by another person of the same name. (5+5=10)